

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
HARISH C. JOSHI, et al.)
Application No. 10/056,913 Patent No. 6673814) Art Unit: 1614
) Examiner: Dwayne C. Jones
)
Filed: 01-25-2002 Issued 09-26-2002) Confirmation No. 3014
)
FOR: DELIVERY SYSTEMS AND METHODS) Emory Docket: 02040 US
 FOR NOSCAPINE AND NOSCAPINE)
 DERIVATIVES, USEFUL AS ANTICANCER)
 AGENTS)

STATUS INQUIRY

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Customer Number 81100
August 31, 2011

Sir:

Please advise Applicants of the status on the Petition For Correction of Inventorship filed on June 16, 2009 (copy attached). To date there has been no action on the Petition.

The Examiner is encouraged to contact the undersigned if there are any questions regarding this filing. A Power of Attorney and Statement Under 3.73(b) in favor of the undersigned are being submitted with the Status Inquiry.

Respectfully submitted,

/Susanne Hollinger, Reg. No. 51811/

Susanne Hollinger, JD, Ph.D. (51,811)

EMORY UNIVERSITY
Customer Number 81100
1599 Clifton Road NE, 4th Floor
Atlanta, GA 30322
Email: OPTT-IP@EMORY.EDU
(404) 727-2211 (phone)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814) Confirmation No. 3014
Issued: January 6, 2004)
For: NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)

PETITION FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned attorney of record in the patent identified above hereby petitions to correct an error of inventorship in the above-referenced application. Applicants hereby request that the U.S. Patent and Trademark Office under 37 C.F.R. § 1.324, pursuant to 35 U.S.C. § 256, correct inventorship of the above-identified patent by adding **John A. Petros** as a named inventor. The error arose without any deceptive intention on the part of the persons who were named as inventors and all of the currently named inventors agree to the change of inventorship. Once this petition is granted, the inventors in this application will be Harish C. Joshi, Decatur, GA; Ye Keqiang, Baltimore, MD; Judith Kapp, Atlanta, GA; Jaren Landen, Decatur, GA; David Archer, Roswell, GA; Cheryl Armstrong, Winnetka, IN;

I hereby certify that this correspondence is being electronically filed with the United States Patent & Trademark Office on June 16, 2009, through its EFS-Web electronic filing system.

/christy k. flagler/
Christy K. Flagler

Fuqiang Liu, Piscataway, NJ and John A. Petros, Norcross, GA. The original named inventors executed a complete assignment of ownership to Emory University recorded on May 9, 2002. The assignee of the invention, Emory University, consents to the correction of the named inventors. Applicants hereby request that the order of the inventors in this application be as shown above.

Pursuant to the requirements of §1.324(b), applicants submit herewith the following:

- 1) Statement from John A. Petros that error in inventorship occurred without deceptive intention.
- 2) Statement from Harish C. Joshi, listed inventor, agreeing to or stating no disagreement with the change in inventorship.
- 3) Statement from Ye Keqiang, listed inventor, agreeing to or stating no disagreement with the change in inventorship.
- 4) Statement from Judith Kapp, listed inventor, agreeing to or stating no disagreement with the change in inventorship..
- 5) Statement from Fuqiang Liu, listed inventor, agreeing to or stating no disagreement with the change in inventorship.
- 6) Statement from Jaren Landen, listed inventor, agreeing to or stating no disagreement with the change in inventorship.
- 7) Statement from David Archer, listed inventor, agreeing to or stating no disagreement with the change in inventorship.
- 8) Statement from Cheryl Armstrong, listed inventor, agreeing to or stating no disagreement with the change in inventorship.
- 9) Statement from Emory University, assignee of the patent, agreeing to the change in inventorship.

Petition For Correction of Inventorship Under 37 C.F.R. §1.48(e)

Patent No. 6,376,516

Issued: April 23, 2002

Page 3

- 10) Petition fee of \$130.00 for a correction of inventorship pursuant to 37 C.F.R. 1.324.

No other fees are believed due; however, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

/s/ Vanessa M. Blake

Vanessa M. Blake
Reg. No. 58,522

KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530
Telephone: (404) 815-6500
Facsimile: (404) 815-6555
Attorney Docket No. E2690/199298

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: **DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)**

**DECLARATION OF DAVID ARCHER IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, David Archer, declare as follows:

1. I declare that I am an inventor in the above referenced issued patent. It was an error that John A. Petros was not named in the above-identified issued patent and this error in inventorship occurred with no deceptive intent on my part. I agree to the change of inventorship to add Dr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

2. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

Declaration of David Archer

Patent No. 6,673,814

Issued: January 6, 2004

Page 2

Date: 3/30/09

David Archer
David Archer

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)

**DECLARATION OF CHERYL ARMSTRONG IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Cheryl Armstrong, declare as follows:

1. I declare that I am an inventor in the above referenced issued patent. It was an error that John A. Petros was not named in the above-identified issued patent and this error in inventorship occurred with no deceptive intent on my part. I agree to the change of inventorship to add Dr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

2. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

Declaration of Cheryl Armstrong

Patent No. 6,673,814

Issued: January 6, 2004

Page 2

Date: March 30, 2009

Cheryl Armstrong
Cheryl Armstrong

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: **DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)**

**DECLARATION OF EMORY UNIVERSITY IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Mary Severson, declare as follows:

1. Emory University is the assignee of record of U.S. Patent No. 6,673,814.
2. The assignment from the current inventors was recorded on May 9, 2002 and is located at Reel: 012883 and Frame 0678.
3. My title is Chief Technology Officer and Associate Director, OTT. I have authority to act on behalf of Emory University, the assignee of record of the patent. On

Declaration of Emory University

Patent No. 6,673,814

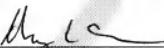
Issued: January 6, 2004

Page 2

behalf of Emory University, I agree to the change of inventorship under 37 C.F.R. §1.324 to add Mr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

4. Once the inventorship is corrected, the inventors of this patent will be Harish C. Joshi, Keqiang Ye, Judith Kapp, Jaren Landen, David Archer, Cheryl Armstrong, Fuqiang Liu and John A. Petros.

Date: March 27, 2009


Mary Severson

Assignment recorded on

May 9, 2002

Reel: 012383

Frame: 0678

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)

**DECLARATION OF HARISH C. JOSHI IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:-

1. Harish C. Joshi, declare as follows:

1. I declare that I am an inventor in the above referenced issued patent. It was an error that John A. Petros was not named in the above-identified issued patent and this error in inventorship occurred with no deceptive intent on my part. I agree to the change of inventorship to add Dr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

2. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

Declaration of Harish C. Joshi

Patent No. 6,673,814

Issued: January 6, 2004

Page 2

Date: 04/17/2009

Harish C. Joshi

Harish C. Joshi

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: **DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)**

**DECLARATION OF JUDITH KAPP IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Judith Kapp, declare as follows:

1. I declare that I am an inventor in the above referenced issued patent. It was an error that John A. Petros was not named in the above-identified issued patent and this error in inventorship occurred with no deceptive intent on my part. I agree to the change of inventorship to add Dr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

2.. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

Declaration of Judith Kapp

Patent No. 6,673,814

Issued: January 6, 2004

Page 2

Date:

March 27, 2009

Judith Kapp

Judith Kapp

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)

**DECLARATION OF JAREN LANDEN IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

J. Jaren Landen, declare as follows:

1. I declare that I am an inventor in the above referenced issued patent. It was an error that John A. Petros was not named in the above-identified issued patent and this error in inventorship occurred with no deceptive intent on my part. I agree to the change of inventorship to add Dr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

2. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

Declaration of Jaren Landen

Patent No. 6,673,814

Issued: January 6, 2004

Page 2

Date: 4/29/07

Jaren Landen

Jaren Landen

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: **DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)**

**DECLARATION OF FUQIANG LIU IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Fuqiang Liu, declare as follows:

1. I declare that I am an inventor in the above referenced issued patent. It was an error that John A. Petros was not named in the above-identified issued patent and this error in inventorship occurred with no deceptive intent on my part. I agree to the change of inventorship to add Dr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

2. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

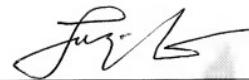
Declaration of Fuqiang Liu

Patent No. 6,673,814

Issued: January 6, 2004

Page 2

Date: March 30, 2009



Fuqiang Liu

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: DELIVERY SYSTEMS AND METHODS)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)

**DECLARATION OF JOHN A. PETROS IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, John A. Petros, declare as follows:

1. I currently reside at 2365 Flint Creek Drive, Cumming, GA 30041. I declare that I was an inventor of the subject matter claimed in the above referenced issued patent. It was by error that I was not named as an inventor in the above-identified issued patent. The error of failing to include myself as an inventor of the above-identified issued patent occurred without any deceptive intention on my part.

2. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

Declaration of John A. Petros

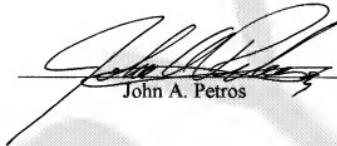
Patent No. 6,673,814

Issued: January 6, 2004

Page 2

18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

Date: 3-30-09


John A. Petros

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Harish C. Joshi et al.)
Patent No. 6,673,814)
Issued: January 6, 2004)
For: **DELIVERY SYSTEMS AND METHODS**)
FOR NOSCAPINE AND NOSCAPINE)
DERIVATIVES, USEFUL AS ANTICANCER)
AGENTS)

**DECLARATION OF YE KEQIANG IN SUPPORT OF PETITION FOR
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.324**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

J. Ye Keqiang, declare as follows:

1. I declare that I am an inventor in the above referenced issued patent. It was an error that John A. Petros was not named in the above-identified issued patent and this error in inventorship occurred with no deceptive intent on my part. I agree to the change of inventorship to add Dr. John A. Petros as an inventor of U.S. Patent No. 6,673,814.

2. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the issued patent.

Declaration of Ye Keqiang

Patent No. 6,673,814

Issued: January 6, 2004

Page 2

Date: _____ 04/15/2009 _____

Keqiang Ye
Ye Keqiang

Keqiang Ye

COPY

Electronic Patent Application Fee Transmittal

Application Number:	10056913			
Filing Date:	25-Jan-2002			
Title of Invention:	DELIVERY SYSTEMS AND METHODS FOR NOSCAPINE AND NOSCAPINE DERIVATIVES, USEFUL AS ANTICANCER AGENTS			
First Named Inventor/Applicant Name:	Harish C. Joshi			
Filer:	Elena S. Polovnikova/Christy Flagler			
Attorney Docket Number:	E2690/268902			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition fee- 37 CFR 1.17(h) (Group III)	1464	1	130	130
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				130

COPY

Electronic Acknowledgement Receipt

EFS ID:	5528012
Application Number:	10056913
International Application Number:	
Confirmation Number:	3014
Title of Invention:	DELIVERY SYSTEMS AND METHODS FOR NOSCAPINE AND NOSCAPINE DERIVATIVES, USEFUL AS ANTICANCER AGENTS
First Named Inventor/Applicant Name:	Harish C. Joshi
Customer Number:	23370
Filer:	Elena S. Polovnikova/Christy Flagler
Filer Authorized By:	Elena S. Polovnikova
Attorney Docket Number:	E2690/268902
Receipt Date:	16-JUN-2009
Filing Date:	25-JAN-2002
Time Stamp:	17:45:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$130
RAM confirmation Number	4022
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/Message Digest	Multi Part/.zip	Pages (if appl.)
-----------------	----------------------	-----------	---------------------------------	-----------------	------------------

1	Petition for review by the Office of Petitions.	inventorship.pdf	91913 8b54d1dfe0e8ad8c26d6aef9a2f505e0f60 3841	no	3
---	---	------------------	--	----	---

Warnings:**Information:**

2	Oath or Declaration filed	Archer.pdf	54513 91a804b608e07cc280913a1c1996f127931 981	no	2
---	---------------------------	------------	---	----	---

Warnings:**Information:**

3	Oath or Declaration filed	armstrong.pdf	53834 2a013f3f56b60e0e49901a5199945779124f 8831a1	no	2
---	---------------------------	---------------	---	----	---

Warnings:**Information:**

4	Oath or Declaration filed	emory.pdf	51971 e91ff10b20915780d27adcded65341ff13e29 314db	no	2
---	---------------------------	-----------	---	----	---

Warnings:**Information:**

5	Oath or Declaration filed	joshi.pdf	53630 07d305a028941b08723ec16772e17c77fb 6eaafe	no	2
---	---------------------------	-----------	---	----	---

Warnings:**Information:**

6	Oath or Declaration filed	kapp.pdf	55130 853a113ba23edaa86502c7b31a610796524 4ee9ff	no	2
---	---------------------------	----------	--	----	---

Warnings:**Information:**

7	Oath or Declaration filed	landen.pdf	53115 d13eb5d177cde491bb1a4fdca707796d94b8 000ac	no	2
---	---------------------------	------------	--	----	---

Warnings:**Information:**

8	Oath or Declaration filed	liu.pdf	56884 d0a125394c25f90c51b223c9940199e30f5 a26d	no	2
---	---------------------------	---------	--	----	---

Warnings:**Information:**

9	Oath or Declaration filed	petros.pdf	62264 b01sec634d6f94c2af062c26e812fd360c35 405d4	no	2
---	---------------------------	------------	--	----	---

Warnings:**Information:**

10	Oath or Declaration filed	ye.pdf	50795 BB4901cab957e0f05ae9546cc1eabc29a/bbf/ca	no	2
----	---------------------------	--------	---	----	---

Warnings:**Information:**

11	Fee Worksheet (PTO-875)	fee-info.pdf	30419 frec5tar9bc9e6805/eed400e23f1/79a606fb1bbf3	no	2
----	-------------------------	--------------	--	----	---

Warnings:**Information:****Total Files Size (in bytes):**

614468

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.